2:Seligman & Seligman E-5 (1909-1910) 1932
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FOREWORD

IT was in the first quarter of the nineteenth century, when Mohammed Ali conquered the Sudan for Egypt, that western civilization came into touch with the Nile Negroes, and it was not until fifty years later, during the period of the great explorers—Speke, Grant, Marno, Schweinfurth, Emin Junker, and others—that there was any reliable knowledge of the character of the various tribes and of the areas they occupied. Travelling and investigating before the birth of modern anthropological methods, the information gathered by these early explorers is of relatively slight value to the anthropologist. Further progress was stopped by the rise of the Mahdi, and it was not until 1900, after the reconquest of the Sudan, that investigation became possible. Acting under the advice of that many-sided scholar the late D. G. Hogarth, Sir James Currie (then Director of Education) induced the Sudan Government to provide the funds for a small ethnographic survey which we were asked to undertake. It was Sir James who made the preliminary arrangements for our visit, and to him we owe a great deal for his kindly and carefully considered introduction to what was then a difficult and little-known country, as well as for the completely free hand he gave us as to the manner of our work.

An ethnographic survey should not merely give an account of the main physical and cultural characters of the people of a given area, but should provide the data for the study of their relationship to each other as well as to tribes outside the area surveyed. Therefore, although it has not been possible to obtain the same amount of information among all the peoples studied, we have tried to adhere to a general plan. Whenever possible, subjects have been measured and photographed, not only to give an idea of the physical characters of each tribe but because we believe these characters to be most important in settling the affinities of tribal and larger groups. The political and social organization has been recorded (at least in outline) with as much as possible of the religious beliefs, for without a knowledge of these no aspect of tribal life can be understood. Whilst no people has been investigated so thoroughly as to yield a complete cultural picture, we have, we believe, laid the foundation of a scientific study of the peoples of the Sudan. In doing this we have constantly

2:Seligman & Seligman E-5 (1909-1910) 1932
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kept before us the necessities of the official, for the greatest need of the administrator is to understand the politico-religious outlook of a subject race: rules of land tenure or criminal procedure are worthless unless there is knowledge of the social fabric and of the attitude towards the supernatural. For these reasons we have recorded all that we could of the part played by the rain-maker and other departmental experts, as well as the attitude towards ancestral and other spirits, and, since an understanding of life within the extended family group is almost equally important, we have paid much attention to kinship systems, noting the terms and so far as possible analysing the duties and privileges incumbent upon kinsmen. Certain important aspects of magic could not be studied, as this subject for the most part requires an intimate knowledge of the language of the people investigated. In this matter Professor Evans-Pritchard's results are particularly valuable.

We made no attempt to study technological processes, but specimens of any object of outstanding interest, either from the point of view of adaption or of distribution, were, if possible, collected and presented to the National Museum. Linguistics were also outside the scope of our study, yet in southern Kordofan we were so impressed by the difference of the languages spoken there from those of the Nile-Nubians with which they had been previously confused that we spent some time in recording the elements of these tongues.

Whenever possible we have used the genealogical method, and have found it of the greatest value; we have however refrained from publishing genealogies, except when these are necessary to illustrate some particular point.

For those tribes of which we have a reasonable knowledge our material is arranged under five headings (viz. "Regulation of Public Life", "Kinship, Family Life, and Marriage", "Religion", "Rain-making", "Death and Funeral Ceremonies"). Where, however, we are dealing with little-known peoples, e.g. those of Darfung, or areas of intense tribal confusion and disintegration, as the south-western Bahr el Ghazal, it would be misleading to attempt this, and such knowledge as we have is given under tribal headings. Nor have we always been able to be strictly logical in our arrangements, sometimes logic has perforce yielded to convenience.

Our first expedition, in 1909-10, was naturally from north to south along the Nile, and we also visited the Nuba. The second expedition, in 1911-12, was mainly east to west, when we studied

3:Westermann E-5 (1910) 1912 F121 Shilluk F121

PREFACE.

121 122 In the *summer* of 1910 the Prussian Board of Education provided me with the means to undertake a journey to the Northern Sudan. My object was to make linguistic studies. During my stay in the Sudan the material for this work was collected. My studies in the Shilluk language and people are due to a request made to me by the Reverend C. R. Watson D. D., of Philadelphia Pa., Corresponding Secretary of the Missions of the United Presbyterian Church of North America. Mr. Watson, having heard of my intended journey to Egypt and the Sudan, asked me to visit the United Presbyterian Church's Missions on the Sobat, and to study the language of that district which lies within the sphere of their activity. By supplying the necessary funds for this part of the journey and for my stay in the Sudan, I was enabled to carry out this proposition, which was at the same time of importance for my linguistic studies.

114 I left for the Sudan at the beginning of August 1910, where I staid in Khartum and on the Sobat till the middle of November.

ETP The results of my work obtained during this comparatively short time would not have been possible had it not been for the extremely active and kind support rendered me everywhere in the Sudan by the American missionaries. Not only was I able to profit by their kind hospitality, but they also most generously placed at my disposal their extensive knowledge of the country, people and language. I owe my practical introduction to the language to Dr. Thomas A. Lambie, medical missionary at Khartum, in whose house I was privileged to stay for over a month. In addition to the contributions signed by him he also supplied me with several native texts from his collection which will be found incorporated in this book.

The missionaries on Doleib Hill, Mr. C. R. Guthrie and the Reverend D. S. Oyler also helped me on all possible occasions; above all they introduced me to the Shilluks and put me into touch with those natives who were necessary and useful to me in my researches. Both these gentlemen and the Reverend E. McCreery and Mr. R. W. Tidrick have supplied me with very valuable information in answer to questions addressed to them since my return to Germany, some of which appears as signed contributions. Part of it has been included in the introduction. During the winter of 1911 I had the pleasure of receiving the Reverend McCreery while he was in Berlin, and thus had an opportunity of discussing grammatical questions with him.

I must express my sincere thanks to all those who have assisted me in their

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S:Lienhardt E-4 (no date) 1954 FJ23 Shilluk FJ23

THE SHILLUK OF THE UPPER NILE

By GODFREY LIENHARDT

This essay is based primarily on literary sources,[1] which contain unusually full references to the religious and cosmological ideas of the Shilluk. In places, I have reinterpreted earlier writings on the Shilluk in the light of my own knowledge of the related Dinka, and of other Nilotic studies. The concepts of these Nilotic peoples are alike in many ways, and the Shilluk and Dinka have for long been considered as related, from the point of view of anthropological theory, by the presence among them both of different forms of the institution of 'divine kingship', studied by Frazer and Seligman.[2] Upon this institution much of their interpretation of the universe and of their own place in it depend.

Lack of definition and dogma in their religion and cosmology makes it possible for Nilotic peoples to accept many different versions of their mythology and history, and also permits some syncretism of belief. I do not consider here speculations about the possible influences of ancient Egypt, the Funj, Islam, or the early monophysite Christianity of the Sudan, on Shilluk belief.[3] It is, in fact, remarkable that contact with foreign peoples and ideas, over a long period, should have left so little mark on Shilluk thought. Some of the stories which Hofmayr[4] attributes to Christian influence are widely known among other Nilotic peoples and elsewhere, in places further removed from probable contact with Christianity.[5] Lack of formal definition of beliefs and notions about the universe also makes the study of Shilluk cosmology necessarily a study based on inferences from myths, hymns, and other texts, collected piecemeal from informants, none of whom can speak with any final authority. It is clear that Shilluk cosmology is not present to the mind of any one Shilluk as a single, orthodox system, abstracted from the narrative flow and imaginative detail of myth. Even one man may tell slightly different versions of the same story,[6] for the telling is

[1] References throughout are to the Shilluk bibliography appended, the dates being the dates of the publications cited. Some of the sources contain many texts in the Shilluk language, and where these are translated into a language other than English, I have given an English version after examining the Shilluk text. I should like to thank all writers on the Shilluk, upon whose observations this summary and representation entirely depend. Their publications, however, are not all easily accessible, nor are they specifically concerned with the analysis of the Shilluk ideas here studied. This must be my excuse for writing about a people of great ethnological interest and importance, who have already been described in detail by writers who have known them well.

[2] J. G. Frazer, 1911; C. G. Seligman, 1911; C. G. and B. Z. Seligman, 1932.

[3] Discussion of Shilluk contacts with some of these will be found in W. Hofmayr, 1925, and D. Westermann, 1912. For general cultural and conceptual similarities between ancient Egypt and negro Africa, the reader may be referred to C. G. Seligman, 1934, and H. Frankfort, 1948, among others.

[4] 1925, pp. 125–6, the creation of a fall of man, and of a woman's bearing a god.

[5] D. B. Gelat, 1918 ff.

[6] Cp. 138]

5:Lienhardt E-4 (no date) 1954 FJ23 Shilluk FJ23

partly a creative process, and there is no writing to establish a preferred and approved text. Shilluk experience and knowledge of their world, which we here try to understand by analysis and systematization, is by them synthesized in an imaginative whole, at the centre of which are their early leader and hero, Nyikang, and the divine being which they call *jwok*. Though *jwok* is thought ultimately to dispose what happens in the universe, Nyikang, who created the Shilluk kingdom, is the subject of most mythology. There is nowhere any indication that the Shilluk have formulated elaborate ideas of the general order of all creation. Their notion of cosmogenesis is of the creation of that order which, as they see it, was built up by Nyikang, and has been maintained by his successors, the Shilluk kings. Before considering the wider significance of Nyikang and *jwok*, it is convenient to give a brief account of the land of the Shilluk, the life they lead in it, and the general outlines of their social organization. With these in mind, it is possible to analyse their cosmological ideas in the broad outline to which an essay of this length is necessarily restricted.

Environment and History

The Shilluk live along the west bank of the Nile in the south of the Anglo-Egyptian Sudan, where their hamlets are built in close succession, following the line of the river from around Kaka to Lake No. They are about 110,000 people,[1] densely settled on a narrow strip of savannah country nearly 200 miles long, and four to five walking-hours in width. The soil is black and fertile near the river and its inlets, becoming sandier towards the neighbouring Arab country in the north and the Arab and Nuba country of Kordofan to the west. On the east bank of the Nile are the related Dinka, the Shilluks' neighbours to the east and south, and there are Shilluk settlements, bounded by Dinka and Nuer, on the east bank and on the lower reaches of the Sobat. Though their values are predominantly those of a cattle-herding people, the Shilluk lead a less pastoral, transhumant life than the Nuer or Dinka.[2] Their cattle are estimated at 25,000, and they keep sheep and goats. Since their settlements are strung along the bank of the Nile, they can find grass for their herds near home in the dry season, from January to April, and cultivation seems to receive more time and attention among them than among less sedentary Nilotes. From June to September the rains fall, and much of the country becomes flooded. The early rains are the time for sowing the staple crop of millet, of which many varieties are grown, along with maize, sesame, and various beans and pumpkins. These depend upon the rains, and are harvested between September and November. Tobacco, also called 'the grass of the ancestors', depends on hand-watering from the river, near which it is grown in the dry season.

[1] The authorities vary considerably in their estimates of the human and cattle population. The figures given here are quoted from those given by Mr. John Donald, of the Sudan Political Service, and published by Professor Evans-Pritchard, 1948.

[2] P. P. Howell and W. P. G. Thomson, 1946.

5:Lienhardt E-4 (no date) 1954 FJ23 Shilluk FJ23

theme of these ceremonies was the avoidance of Nyikang and a fear of his power, accompanied by the veiling of the objects particularly associated with him. The complexity of this behaviour, particularly the 'fear and laughter', demands a more penetrating analysis than is possible here.

Conclusion

In such a brief account it has been possible to give only an outline of the cosmological ideas and social values of the Shilluk, and it has been inevitable also that these should have been somewhat over-formalized and systematized. Shilluk cosmological ideas are embedded in belief and action. They are not systematized by the people themselves, who reveal them only by their sayings and their behaviour. It is impossible to give an account of them without abstracting them from the reality, formulating them as ideas with a certain degree of coherence between them, and thus constructing a system which has no exact counterpart in the thought of the Shilluk themselves. Such an account is bound to show, here and there, that effort to achieve consistency which is part of our tradition, but not of theirs. I have tried to show how the order known to the Shilluk is dependent upon their belief in a mythical hero and king, Nyikang, who is the figure to which every subsequent Shilluk king is assimilated in thought. This assimilation is enacted in the ritual for the installation of each new king. Nyikang is an analogue, for the Shilluk, of the power which created and maintains the universe. That power, which I have been content to call God, is of greater importance to the Shilluk as a source of vitality, both intellectual and physical, than as a being with ethical attributes. Nyikang and the kings similarly belong not to an ethical, but to a metaphysical system. Shilluk religion is concerned with the maintenance, as a divine order, of the order in which they live and have always lived. The kings, and Nyikang, are held to represent that order, which without them would not exist. The death of a king and the installation of his successor, are therefore of critical importance in the Shilluk kingdom, and that importance is marked by ceremonies of great imaginative and symbolic richness. The importance and uniqueness of the king is similarly emphasized by the existence of a special vocabulary used of him, and by various special observances which may be studied in the literature. They mark him off from ordinary men, no less than his titles—'first-born of God', 'child of God', 'reflection of the ancestors', 'master of the world', 'last-born of God', and others.[1] Any particular king, however, is also, as an individual human being, to some degree unequal to the office. The Shilluk have no superstitious reverence for the individual human king, and many kings have been removed by violent death when, for one reason or another, their people have tired of them. It is, perhaps, chiefly after the climax of the installation ceremonies that the dignity of the office, and the human nature

[1] Hofmayr, 1925, p. 150. The 'first-born' and the 'last-born' have special status, at least in Dinka thought, because the first 'opens the way' for the others, while the other 'closes the way'. They are, so to speak, the alpha and omega of generation.

8:Howell E-4.5 (1937, 1948) 1953 FJ23 Shilluk FJ21

in the courts are of a kind which in the past were mere matters of convention and usage and could not be defined as law even in the most extended definition of that term. The tendency is for the most intimate personal relationships to be governed by legal processes. This is a feature of the Nilotic world under the influence of modern administration which, while present among the Shilluk, is even more marked among Nuer and Dinka. There is a danger in this, because intervention in almost every sphere of human activity may tend to inhibit the normal readjustments which might otherwise naturally emerge to meet changing conditions. It is therefore all the more necessary to record something of present practice for comparison in later years.

The vast majority of cases which appear before the courts concern kinship obligations, marital relationships and the violation of rights in women. This article is therefore largely a description of the normal processes of marriage: the payment and distribution of bridewealth, divorce, and the infringement of legal rights in women. It is also in the nature of a commentary on previous articles published by Mr. M. E. C. Pumphrey and myself[1] on the subject of kinship and social organization among the Shilluk. From time to time reference is made to Nuer and Dinka institutions by way of comparison.[2] A few examples of actual disputes as heard and recorded in the Shilluk Courts are given in the text.

Shilluk Social Structure

Shilluk society is divided into 'provinces', 'divisions' (*kod*), and 'settlements' (*pedit*). These are territorial and political segments, but it is really only the settlement which has any permanent political significance. Each settlement has a common territory, the boundaries of which run at approximately right angles to the river. Such territory includes a section of the highland ridge which runs roughly parallel to the Nile and on which the permanent dwelling-houses and cattle-byres are built; a section of the river front (*tuai*) which provides grass grazing for the cattle when the river drops, and finally a more extensive section of the hinterland (*wad*) which is subjected to varying degrees of rain-flooding during the wet season but is dry and waterless for the rest of the year. Each type of land is essential for pastoral and agricultural activities according to the season, and the territorial segmentation of Shilluk country could not be arranged otherwise.

A settlement is an economic, political, and social unit, but is not a kinship unit since it contains representative lineages of several of the many Shilluk clans. Within the settlement there is, however, a tendency—not always effective for purely topographical reasons—for each lineage to occupy its own 'village'. Each village (*par*) is made up of a number of 'hamlets' (also *par*: pl. *ayar*) which comprise several domestic units (*gol*), each such unit consisting of a group of dwelling-huts (*ar*) occupied by a man, his wives, and children. The village is therefore also a kinship unit and, as a general rule, the closer the territorial proximity, the closer the kinship relationship. Clans (described by giving the name of the founder with the suffix *kwa*, meaning 'descendants of') are patrilineal descent groups which are theoretically exogamous, though separation in space, coupled with considerable distances of relationship within the kinship structure, may allow modifications of this rule. The

[1] *Sudan Notes and Records*, vol. xxiii, 1940.

[2] The reader may consult the works of Professor Evans-Pritchard on the Nuer. The Dinka are less well documented.

8:Howell E-4,5 (1937, 1948) 1953 F323 Shilluk F323

lover is any less hard. In place of a recognized tribal fine or compensation he is now a victim of blackmail. The spirit whom he is living with proceeds as follows: 'Give me a cow or I will sell.' This may go on until the lover's capital is exhausted and the spirit with her child or children moves off in search of further prey. The lover has no redress as the whole arrangement is outside tribal custom, and the spirit prospers from her blackmail and prostitution.[1]

I do not propose to discuss here the reasons for the ban against marriage or sexual intercourse with the daughters of reigning or former *reths*. I have sometimes heard Shilluk say that compensation for illicit intercourse with any woman of the royal clan should really go to the *reth*. There is, however, an obvious distinction between offences committed with daughters of *reths* and with other females of the royal clan. In the first case, all forms of sexual union are barred and any infringement of the rule is a crime against the *reth* himself and all he stands for. Moreover female spirits, not being allowed to marry, are in a sense males. Hence sexual relationship with them by a male amounts to perversity and perversity is not a mere private delict but a spiritual offence likely to react upon society as a whole. Shilluk say that theoretically the spirit and her lover should be put to death, but the offence is now compoundable by payment of a fine. The principles of punishment and expiation are involved, not merely restitution. In the case of all other female *kwareh*, the offence lies not in the fact of sexual relationship, but in an illicit relationship amounting to an infringement of rights which apply to all members of Shilluk society. The wrongdoer pays the indemnity in order to right that wrong. In accepting compensation for offences against other women of the royal clan the *reth* is acting as the recognized head of that clan and has a right to receive and redistribute (which in fact he usually does) the wealth which belongs to the clan collectively. The former is therefore more nearly a criminal or public offence, the sanctions being penal, while the latter is a private delict involving the restitutory sanction only. It is worth noting that a closer study of this subject might well lead to a clearer picture of the spiritual functions of the *reth* himself and through him of the royal clan, and also to a more reliable interpretation of his legal functions.

Conclusion

We may conclude by noting that Shilluk marriage have not the complexity, found both in the social processes and the transfer and distribution of bridewealth, which characterizes unions among their Nuer and Dinka neighbours. The principles are, however, comparable. Marriage is achieved by the performance of ceremonies which have both social and ritual aspects. Side by side with these ceremonies is the payment of bridewealth in cattle, grain, sheep, and sometimes cash. Neither is complete without the other and, generally speaking, each stage in the ceremonies is accompanied by further payments of cattle. The *angko thiel*, the ultimate ceremony of marriage which corresponds approximately to the Nuer *nuer* and the Dinka *thiel de thiel*, at any rate in its legal implications, will not be performed unless sufficient cattle have already been paid to satisfy the kinsmen of the bride. Conversely, the payment of cattle would not legalize the union without the accompanying ceremonies.

[1] W. P. G. Thomson: unpublished records, 1946.

9 Howell E-5 (1937-1950) 1954 F323 Shilluk F323

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OBSERVATIONS ON THE SHILLUK OF THE UPPER NILE

THE LAWS OF HOMICIDE AND THE LEGAL FUNCTIONS OF THE *REETH*

P. P. HOWELL

INTRODUCTION

PUBLISHED literature on the subject of the Shilluk is considerable[1] and there are also many interesting accounts of specific subjects buried in the files of the Administration. Nowhere, however, is there a complete account of all aspects of Shilluk life. Moreover, there has been a tendency to concentrate on certain aspects, notably the Divine Kingship, to the exclusion of others. In 1941 Mr. M. E. C. Pumphrey and I published two articles: the first a general summary account of the Shilluk tribe based on Mr. Pumphrey's observations and wide experience; the second a more detailed analysis of one Shilluk settlement,[2] the result of fieldwork carried out in 1935. In 1942 I had the privilege of attending the installation of *reth* Anei Kwi and, together with Mr. W. P. G. Thomson, published a full account.[3] Subsequently Mr. Thomson published his 'Further Notes on the Death of a Shilluk Reth',[4] after the death of *reth* Anei in 1943. This, with Professor Evans-Pritchard's Frazer Lecture, *The Divine Kingship of the Shilluk of the Nilotic Sudan*,[5] represents the total of information published on the subject of the Shilluk in recent years.

The Shilluk are an exceptionally conservative people and, perhaps the history of centuries of resistance to external aggression, have a natural distaste for innovation. Yet times are changing and it is therefore all the more important that the gaps in our knowledge of Shilluk society as it was during the last few decades, and is now, should be filled. During the last two years I have had occasional opportunities to visit the Shilluk and to continue fieldwork, begun in 1935. The results of these investigations,

[1] See Bibliography, pp. 118–19.

[2] Pumphrey, M. E. C., 'The Shilluk Tribe', and Howell, P. P., 'The Shilluk Settlement', *S.N.R.*, vol. xxiv, 1941.

[3] 'The Death of a Reth of the Shilluk and the Installation of his Successor.' By Howell, P. P., and Thomson, W. P. G., ibid., vol. xxvii, 1946.

[4] Ibid., vol. xxix, part ii, 1948.

[5] Evans-Pritchard, E. E., Frazer Lecture 1948, Cambridge University Press, 1948.

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which largely concern social structure and kinship systems, are to be published later. In this article I have attempted to set down the evidence, often conflicting, concerning the secular and legal functions of the *reth* or king and, since these are relevant, the Shilluk laws of homicide. Professor Evans-Pritchard points out ' if we are to understand the place of the kingship in Shilluk society we must, I think, beware of attempts to define it in terms of judicial and administrative functions and view it rather as a ritual office and in a wider political context '.[1] There are in fact two opposing views. On the one hand are those who consider that the *reth* was the head of a highly-organized administration with a hierarchy of appointed chiefs; that he had absolute powers of adjudication and execution; that he exacted tribute from his people; that he imposed fines upon them for offences against the State. On the other hand are those who hold the opinion that the *reth* had no extensive secular functions of a political or administrative nature, but only a supreme ritual function to perform as the central symbol of the moral and natural order. That the political homogeneity of the Shilluk and the national characteristics of their political structure are maintained by the institution of the *reth* cannot be denied. An analysis of Shilluk political structure, of the segments themselves and of their latent opposition, reveals many forms which closely resemble similar segments in Nuer and Dinka society. The existence of the *reth* gives meaning and co-ordination to the segments of Shilluk society which would otherwise lack political cohesion. But how far are we justified in assuming that the *reth* was an autocratic ruler who intervened in everyday affairs and imposed his authority on his people?

Characteristics of Shilluk Society

The Shilluk are a Nilotic tribe who occupy a narrow strip of country mainly along the west bank of the Nile from Tonga to approximately Lat. 11° N. They are closely of the same basic stock as the Nuer and Dinka, but have closer affinities with the peoples classified as Shilluk-speaking, i.e. the Anuak, who live along the Baro and Pibor rivers on the frontier of the Sudan and Ethiopia, the Acholi, Lango, Alur, Jopadola, Jaluo,[2] who live as far south as the north-eastern shores of Lake Victoria, and small groups living in the area of the upper waters of the Bahr el Ghazal. Their mythology suggests a common origin and their language is closely allied.

According to tradition the Shilluk migrated from the south through the Bahr el Ghazal into their present country under the leadership of Nyikang, their culture hero and the founder of the present dynasty of Shilluk kings. They conquered and subsequently mixed with the original inhabitants (about whom we know little except that they were probably not a Nilotic people) and extended their territory by raids and infiltration considerably farther north than their present boundaries. Tradition, supported by tribes other than the Shilluk and by Arab tribes living farther north, indicates that Shilluk country once extended as far north as Khartoum.

The Shilluk are now a sedentary people and have nothing approaching the large-scale dry-season migration of the Dinka and Nuer in search of green pasture. Their permanent villages, built on the high ground close to the Nile, are occupied all the

[1] Evans-Pritchard, *op. cit.*, p. 13.

[2] See, for example, Driberg, 'The Lango', *Nondescript*, 'The Nilotic Kavirondo', *J.R.A.I.*, 1927; Evans-Pritchard, 'Luo Tribes and Clans', *Rhodes-Livingstone Journal*, no. vii.

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further evidence, that such offences were treated as private delicts in the past, though nowadays, through the influence of the Government, penal sanctions may be applied.

Witchcraft

The Dinka and Nuer tell us that witches and other anti-social persons were sometimes dispatched by their victims or their kinsmen with the tacit consent of the community. Acts of homicide against persons whose actions threatened the integrity of the community were either not subject to retributory sanctions at all, or the compensation demanded by their kinsmen was on a much reduced scale.[1] A similar attitude towards witches is to be found among the Shilluk, but again without the support of actual examples.

In the published literature there are references to persons described variously as witches, sorcerers, magicians, medicine-men, and possessors of the evil eye,[2] and their activities and methods are described, but there are few references to the way in which they were treated. The sanction applied to witchcraft is normally counter-magic consciously applied by the victim.

Hofmayr speaks of 'the *jal jur*, the evil-doer, his aim in life is to do harm, both to life and to property, either by natural means or others,' and adds that 'the *jal jur* works in the dark, but if he is caught, he will be severely punished. Often he is handed over to the people who kill him.' Hofmayr also speaks of the 'poison mixer' (again *jal jur*) who 'is hardly ever discovered. If he is caught, the people will lynch him on the spot and his relations will have to leave the district.'[3] Another passage mentions that the compensation for killing a person possessing the evil eye is only four head of cattle instead of ten. These references, supported by what the Shilluk have told me, suggest an attitude similar to that found among the Nuer and Dinka.

It might be expected that, if there were any greater development of concepts of public law, and if the *reth* performed formal judicial and executive functions, acts of this sort would be subject not to merely private retaliation with the consent of the community, but rather to repressive sanctions applied by the *reth* or his representatives. In fact there is no evidence of this. It may be noted in this connexion that there are instances recorded during the last thirty years of attempts to introduce alien cults which would clearly be subversive of the ritual status of the *reth* and, through him, of the religious foundations of Shilluk society. For this reason Shilluk who have openly practised the Dinka cult of Deng have been severely reproved.[4] There is good reason to believe that such activities would have been punished by death in the past and they are, by their very nature, public delicts amounting to acts of treason.

Conclusions

Much of the evidence so far quoted is unreliable, mainly because the authors have recorded impressions rather than facts. My own conversations with the Shilluk on the subject have been limited and perfunctory, and for this reason cannot provide

[1] For example, the Nuer cult of Ghost: see Howell and Lewis, 'Nuer Ghosts—a Form of Witchcraft', *J.N.R.* xxviii, 1945.

[2] *ajwaga*, magicians, *jal jur*, sorcerer, poet, possessor of the evil eye. There are many references to the activities of such persons in Hofmayr, *Die Schilluk*. See also Oyler, D. S., 'The Evil Medicine Man', *J.N.R.*, 1920. [3] Hofmayr, *op. cit.*

[4] See Willis, C. A., 'The Cult of Deng', *J.N.R.*, vol. vi, p. 190.

9:Howell E-5 (1937-1950) 1952 FJ23 Shilluk FJ23

a basis for definite conclusions. It is, however, probably safe to say that among the Shilluk homicide is a private delict requiring the restoration of equilibrium by the payment of compensation in cattle. The main object of such payments is to marry a wife into the kinship group of the deceased—rather than individually to the name of the deceased—and thus ensure its continuity and increase, which have been interrupted by the removal of one of its members. Retaliatory sanctions are also operative, in that the duty to take vengeance on the person of the killer or one of his kinsmen is recognized.[1] In principle, there are here no profound differences between the Shilluk and their Nuer and Dinka neighbours. The rate of compensation is governed by the relationship between the parties and thus the offence is subject to social range. Parricide and fratricide, regarded as the gravest possible offences against the integrity of the kinship group, are subject only to supernatural sanctions. These apply within the local lineage in lessening degree according to the relationship between the persons concerned, and the ritual expiation is known in Shilluk as '*cuala ji kipi ruom*'.

We cannot, however, entirely ignore the strong tradition which prevails among the Shilluk and the views of early writers, that the *reth*, as ultimate authority, had the recognized power to intervene, to enforce such payments and, moreover, to exact additional payments in person and kind amounting to fines which he seized for himself. If we are to believe these traditions, we must conclude that public action against warring factions, whose continued enmity was disturbing the peace of Shilluk society as a whole, was sometimes undertaken. This does not, in my opinion, alter the argument that individual acts of homicide were treated as private delicts involving primarily the restoration of equilibrium between the units of society concerned. If, however, the portions alleged to have been taken regularly by the Shilluk *reth* are regarded as 'fines' paid to the head of the State (though in my opinion this is a wrong interpretation), then homicide among the Shilluk appears to be in a transitional stage between a private and a public delict, and was so even prior to the introduction of penal sanctions by the present Government.

[1] Pumphrey observes: 'It is interesting that where a compensatory payment for killing is due (in contrast to compensation for lesser wrongs) the net is cast wider and not only the lineage, but even members of other lineages of the same clan are expected to contribute.' Op. cit., p. 15.

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OF FUNG AND SHILLUK

Mohamed Ibid

Any one who deals with either the Fung or the Shilluk, historians as well as anthropologists, must say a word about the possible relationship between the two kingdoms. Many pages have been written on this subject by well known writers, but the lack of a good comparative study that would envisage the whole problem in its various aspects is noted in some of these works. Others were motivated by 'a priori' conceptions, or one-sidedness, or depended entirely upon certain points, or '... favour for verbal similarities'. 1)

The last word in the controversy has not yet been said, and most probably will not be said. I do not contend that this paper will put an end to the controversies, but I think that by taking into consideration the historical as well as the anthropological points of view, we can reach a safe stage at which we can build our own point towards this complicated subject.

* * * * *

A) The PEOPLE :

The story begins in 1790, the year James Bruce of Kinnaird -an English traveller- published a voluminous work describing his journey to discover the sources of the Nile, which took place between 1768 and 1773. In 1772 Bruce was in Sennar, the capital of the Fung Kingdom, which was the most important and the most powerful state of the Eastern Sudan in the Middle-Ages. In this city Bruce got a glimpse of history of Kingdoms and tribal movements in this part of Africa. Bruce transmits to us what he heard (and maybe what he imagined) 2) in such a statement:

> 'In the year 1504, a black nation, hitherto unknown, inhabiting the western banks of the Bahr el Abiad (White Nile) in about latitude 13, made a descent in a multitude of canoes or boats upon the Arab provinces ..... This race of negroes is in their own country called Shilook ... At the establishing of this monarchy the king and the whole nation of

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1) Arkell was so described by Chataway, p.117

2) It is agreed upon that Bruce always imagined many things, and in his writings pictured himself as a hero who conquered dangers through his bravery etc. ... Read a short description of Bruce's character in Stanford, pp. 868-894

"Shilluks were pagans. They were soon afterwards converted Mohammedism for the sake of trading with Cairo and took the name of Funge, which they interpret sometimes looks or conquerors, and at other times free citizens". 8)

In another statement Bruce hits upon an important aspect of the inner organization of the state:

"It is one of the singularities which obtains among this barbish people, that the king exercis his throne under the obligation that he may be lawfully put to death by his own subjects or slaves upon a council being held by the great officers, if they decree that it is not for the advantage of the State that he be suffered to reign any longer. There is one officer of his own family who alone can be the instrument of shedding his sovereign and kinsman's blood. This officer is called Bik el Gom, master of the king's household or servants, but has no vote in deposing him; nor is he any guilt imputed to him however many of his sovereigns he thus murders. Present Bik el Gom, the present regicide, and resident in Sennir's palace .... seemed, by a strange accident, to be one of the gentlest spirits of any .... of Sennar. His place of birth was a village of Funegis, and it appeared to me that he was still a pagan". 9)

That was the first time the world ever heard of the name Shilluk, and time was the beginning of the problem, which is now more than one and a half centuries old.Many authors have supported this opinion of the Shilluk origin of the Funj kingdom, and many so still objected, producing speculations and theories. Others changed their opinions on second thoughts, and until now new handling of the subject and the introduction of new ideas concerning this tangible problem are still forthcoming; but we can summarize these controversies into three major items:

1) The Shilluk origin of the Funj. 8)

2) The Arab origin of the Funj - or generally the Western origin. 9)

3) The Western origin of the Funj, i.e. Darfur or other western Islamic empires of the west Sudan. 7)

What concerns us in this paper is the first item; that is, broadly speaking, the relations between the Funge and the Shilluk, while the origin of the Funj themselves is more or less a historical subject.

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4) Bruce, Vol. III, p. 484. (As there is no Vienna but a French translation of Bruce, I preferred to quote him, whenever it was possible, in English from any other book).

5) Bruce, Vol. III, Vertumnus, (and Granfard to a certain extent). The Funj themselves, Arab, Assembly, and Jukuns are for the Arab origin, Chatelany and Palmier are for an eastern origin, i.e. the Funj were sent by impossible to restore order after the fall of Christian Nubia.

6) Crummey, and later on others.

10: Rind E-4.8 (1961) 1961 F223 Shilluk F223

(2) To begin with, we just need a quick resumé of the historical background, implied, as is always the case, in mythological terms, of both components of our subject. Who are the Shilluk, and who were the Funj?

I) The Shilluk:

(3) The Shilluk now are a negroid tribe that occupies mainly the west bank of the White Nile from about Kaka to Tonga - a distance of about 600 km, and extends inland from the river to about 30 to 50 km. They also occupy the lower reaches of the Sobat river and a pocket around the town of Malakal on the eastern banks of the White Nile.

(4) The physical characters of the Shilluk are surely negroid but they are not Negro. Anthropometric results indicate (5) that they are a tall ethnic group, dolichocephalic and platyrrhine. 8) But within the total anthropometrical data also reveals two distinct racial components: the royal family and the common Shilluk, the former being taller and more dolichocephalic. 9) Further, heterogeneity was also detected between the northern part of the Shilluk land and the southern part, with higher stature and higher cephalic index figures in the north. 10)

(6) This compound heterogeneity has its backing in the (7) Shilluk traditions. The national hero, semi-God, and first king of the Shilluk, Nyikang, led his family on a long march which was divided into two periods of wandering, and gathering adherents and followers from everywhere, and without discrimination, arrived (8) to the present Shilluk land. The stock of wanderers was definitely alien to the peoples who were inhabiting the land, and these we may call aboriginals of the Shilluk land. Nyikang incorporated part of these aboriginals in his new kingdom; the other part probably fled from the country to the nearest area that provided refuge, and this must have been the eastern Nuba Mountains, to the west of the present Shilluk country. It is naturally expected that after such an event like coming of a new stock, yielding power in their hands, a caste system would be introduced to the country; the newcomers are now the elite of the country. Titles of nobility are held to the fourth generation. 11) Descendants after the fourth generations are also respected.

(9) The racial differences between north and south within the (10) Shilluk country is backed by the fact that the country is politically divided in two provinces, opposed to each other to the degree

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8) Seligman, p.13, and p.20. Also Kind, pp. 71-72

9) Kind, pp. 71-72

10) Kind, pp. 71-72

11) Seligman, p. 68.

19: Howell & Thomson E, G-5 (1943-1944)1946
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(ii) The *reth* may, at any time, be killed by a rival claimant to the throne. This is clear from tradition and is supported by the current evidence of the extraordinary precautions taken to avert possible attack during his lifetime, especially during the installation, and from the more recent events of Shilluk history.

These two forms of 'king killing' are not quite the same thing. The first is motivated by a desire to avoid the national consequences of the *reth*'s waning physical powers upon the people as a whole. The second is motivated by the desire of a rival claimant to seize the *reth*ship. There is, however, a connection between the two, since the rival—always the son of a *reth*—will have more chance of success if the *reth* is unpopular because of tribal disasters which are attributed to his physical deterioration.

In September 1943, *reth* Fafiti Yor of the Shilluk, who had held office for twenty six years, died. That same year Anei son of *reth* Kur was elected his successor, and was finally installed at the capital of Shilluk *reths*, Fashoda, in March 1946. The late Professor Seligman speaking on the subject of divine kingship[6] said, "If it be permissible to speculate on the deeper significance of the beliefs and ceremonies I have described, more weight should, I suspect, be given to the complicated installation ritual of the Divine King than has hitherto been the case. In the past there has been an over emphasis on his ceremonial death. It is for future research to unravel the many emotional trends woven into the installation and rejuvenation ceremonies. For it is in these especially that the emotional projection upon the Divine King of his people's deepest desires for life, fertility, and prosperity find their clearest expression."

Our purpose here has been to record as accurately as possible all the ceremonial, all the diverse ritual and the public events which took place to ensure that Fafiti was safely laid to rest and his soul conducted peacefully to a new status in the ancestral hierarchy of the royal house, and to establish his successor firmly upon the throne.

6. *loc. cit.*, p. 62

20: Thomson G-5 (1945-1946) 1948 FJ23 Shilluk FJ23

FURTHER NOTES ON THE DEATH OF A RETH OF THE SHILLUK (1945)

By W. P. G. Thomson.

These notes are intended to amplify the article "The Death of a *Reth* of the Shilluk and the Installation of his Successor" by Mr. P. P. Howell and myself published in *Sudan Notes & Records* Vol. XXVII, 1946. 121

No attempt is made to describe the ceremonies in full. The general pattern followed that of 1944 and these notes are chiefly concerned with the differences observed on this occasion, and the reasons given by the Shilluk for these differences. It was interesting to observe that in several cases where points of ceremonial differed, the procedure reverted to that of January 1918 described by Munro in *Sudan Notes & Records* Vol. I, 1918.

The disposal of the Body and Soul of Reth Anei.

The course of events was as follows:—

Reth Anei Kur died on November 10th 1945. He had been ill for some days, apparently from an attack of relapsing fever, which was prevalent among the Shilluk at the time; he was known to have a bad heart, and had in fact had a heart attack some months previously in Malakal hospital. A Shilluk medical assistant, present at Fashoda at the time of the *reth's* death, reported that he died in his arms of heart failure. This is as good evidence as we are likely to obtain that *reth* Anei died a natural death. 693

I was invited, as in 1943, to pay my last respects to the corpse. This I did on November 11th, and the scene was similar to that of 1943, but simpler. The corpse was fanned by sisters of the *reth*, and his wives were not in the house with the corpse. Several were observed outside. The reed mats were not so elaborate as in 1943 and there were no cloth curtains. 766

The corpse was not immediately buried, as happened in 1943, but was taken on the night of 11.11.45 to a small hamlet belonging to the village of Fadwol, (the village of the Bang Reth Kur — slaves of *reth* Kur, the father of Anei) some three quarters of a mile from Fashoda, and sealed up in a hut. These proceedings were naturally secret, and I was not invited to enquire into details. This method of disposing of the corpse was a reversion to tradition: there is no evidence that a 567

22: Howell E-5 (1951) 1952 FJ23 Shilluk FJ23

The Death and Burial of *reth* Dak *wad* FADIET OF THE SHILLUK

By P. P. Howell

THE following observations are intended to amplify previous accounts of the death and burial of Shilluk Kings.[1] I was not able on this occasion to follow the ceremonies in detail, for the death of a Shilluk *reth* and the installation of his successor is carried out over a long period with a mass of ritual observance. I attended some of the ceremonies, had conversations with some of the participants later and am also indebted to Mr. J. L. Baker, then District Commissioner of the Shilluk, for much of the information recorded here.

I have assumed in the reader some knowledge of previous publications on the subject. In broad outline the procedure followed may be summarized as follows:—

(1) Immediately after his death the body of the *reth* is carried to a village with which he has had previous close association and is there ceremonially immured in a special hut. It should remain there for a period which varies between a few months and over a year.

(2) Meanwhile, the new *reth* is elected in the traditional manner by an electoral college of hereditary chiefs and, unless internal conflicts follow over the choice, begins to prepare himself for his installation.

(3) The remains of the late *reth* are then removed from the hut and carried to the village of his birth or adoption, and there buried in in the house formerly occupied by him. Full mourning ceremonies in which a large proportion of the population play their part follow.

(4) Preparations for the installation, involving all sorts of preliminary ritual observance and ceremonies, continue and the final stages are timed to take place after the harvest and before the rains.

(5) The formal installation then takes place and consists of the search of Nyikang (the original *reth* and culture-hero of the Shilluk who is represented in effigy) from Akurwa to Fashoda;

[1] See in particular: Munro, F., *Installation of the Reth of the Chol, Sudan Notes and Records*, Vol. I, 1918; Howell, P. P., and Thomson, W. P. G., *The Death of a Reth of the Shilluk and the Installation of his Successor, S.N. & R.*, Vol. XXVII, 1946; Thomson, W. P. G., *Notes on the Death of a Reth of the Shilluk, S.N. & R.*, Vol. XXIX, 1948. Also Evans-Pritchard, E. E., *The Divine Kingship of the Shilluk of the Nilotic Sudan*, Frazer Lecture, 1948, Cambridge University Press.

27: Munro U-5 (1918) 1918 FJ23 Shilluk FJ23

SUDAN NOTES AND RECORDS

Volume I. No. 3.

INSTALLATION

OF THE

RET OF THE CHOL (KING OF THE SHILLUKS)

BY P. MUNRO.

In writing the following description of the above event I have attempted to adhere as strictly as possible to what was actually observed. This is more difficult than it appears for two reasons: first it is almost impossible to keep the mind oblivious of the innumerable traditions which have attached themselves to the ceremony and which are set forth in the main by Seligman[1] and Westermann[2], and secondly the constant ebb and flow of the very large company present make accurate observation of detail in some cases almost impossible.

The small discrepancies noted in the actual ceremony as compared with the account of the same as given by Seligman p. 108 are, in my opinion, probably due to the fact that any enquirer would certainly be told of any existing traditions as regards various separate installations. The main essentials are the same, but in small details each installation probably varies in accordance with its special circumstances. For the sake of clearness I have divided this article into two sections: a) Necessary preliminary remarks; b) The actual ceremonies.

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[1] Seligman Vol. II., *General Science*, 5th *Report of Wellcome Research Laboratories*, p. 108 et seq.

[2] Westermann, *The Shilluk People*.

[p.145]